

D. Remarks

The claims are 4-6, 11 and 12, with claims 4, 11 and 12 being independent. Claims 1-3 and 7-10 have been cancelled without prejudice or disclaimer. Claim 4 has been amended solely to add punctuation marks. The specification has been amended to correct obvious typographical, grammatical and syntax errors to better conform the text with proper idiomatic English. No new matter has been added.

Applicant thanks the Examiner for allowing claims 4-6, 11 and 12.


The Office Action entered rejections of claims 1, 3, 7 and 8 under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 4,399,087 (Akiyama). Claims 1-3 and 7-9 were rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent Application Publication No. 2002/0014709 A1 (Arai). Claim 10 was rejected under 35 U.S.C. § 103(a) as being allegedly obvious from Akiyama or Arai under 35 U.S.C. §102(e) over U.S. Patent No. 7,654,321 (Smith).

All rejected claims, i.e., claims 1-3 and 7-10, have been cancelled; the remaining claims, i.e., claims 4-6, 11 and 12 have been allowed, as noted above. The cancellation of the rejected claims was made without prejudice or disclaimer of subject matter, and without conceding correctness of the rejections, but rather strictly to obtain an earlier allowance and to expedite issuance.

Wherefore, since all outstanding rejections are moot, withdrawal thereof is respectfully requested. Furthermore, since all pending claims have already been allowed, Applicant requests that the application be expediently passed to issue.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,


Jason M. Okun
Attorney for Applicant
Registration No. 48,512

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 566454v1